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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Darin Trees)
For: Therapeutic Exercise Device) Conf. No. 6098
Serial No.: 10/695,117) Art Unit: 3764
Filed: October 28, 2003) Examiner: Lori Baker Amerson

AMENDMENT/RESPONSE TO OFFICE ACTION

December 18, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

To Whom It May Concern:

This is in response to the Office Action mailed on December 3, 2008. Claims 1-20 are pending in the application. Claims 1 and 4-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,638,793 of Therkorn in view of U.S. Patent No. 6,645,130 of Webber. Claims 10-20 have been allowed, and objection has been raised to claims 2 and 3 as being dependent on a rejected base claim. Applicant has amended claim 1 (and by dependency therefrom, claims 3-9) to incorporate the limitations of claim 2, and he has consequently cancelled claim 2. Applicant believes that this amendment places all remaining claims in the application in condition for allowance; consequently, he respectfully requests reconsideration of the application in view of such amendment.



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To Whom It May Concern:

Enclosed is an Amendment/Response to the Office Action which was mailed on December 3, 2008 in connection with the application identified above, along with a postcard receipt addressed to Applicant's attorney. Please file the Amendment/Response, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

David J. Hill
Attorney for Applicant
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 18, 2008.

Donna Guy
Date of Signature: December 18, 2008